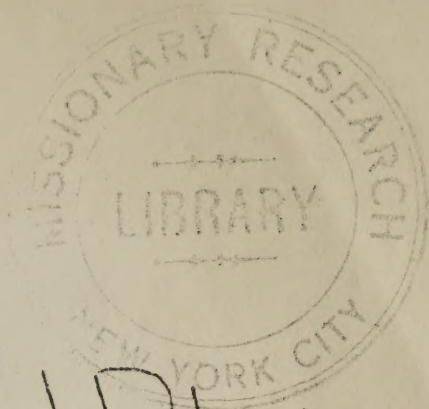


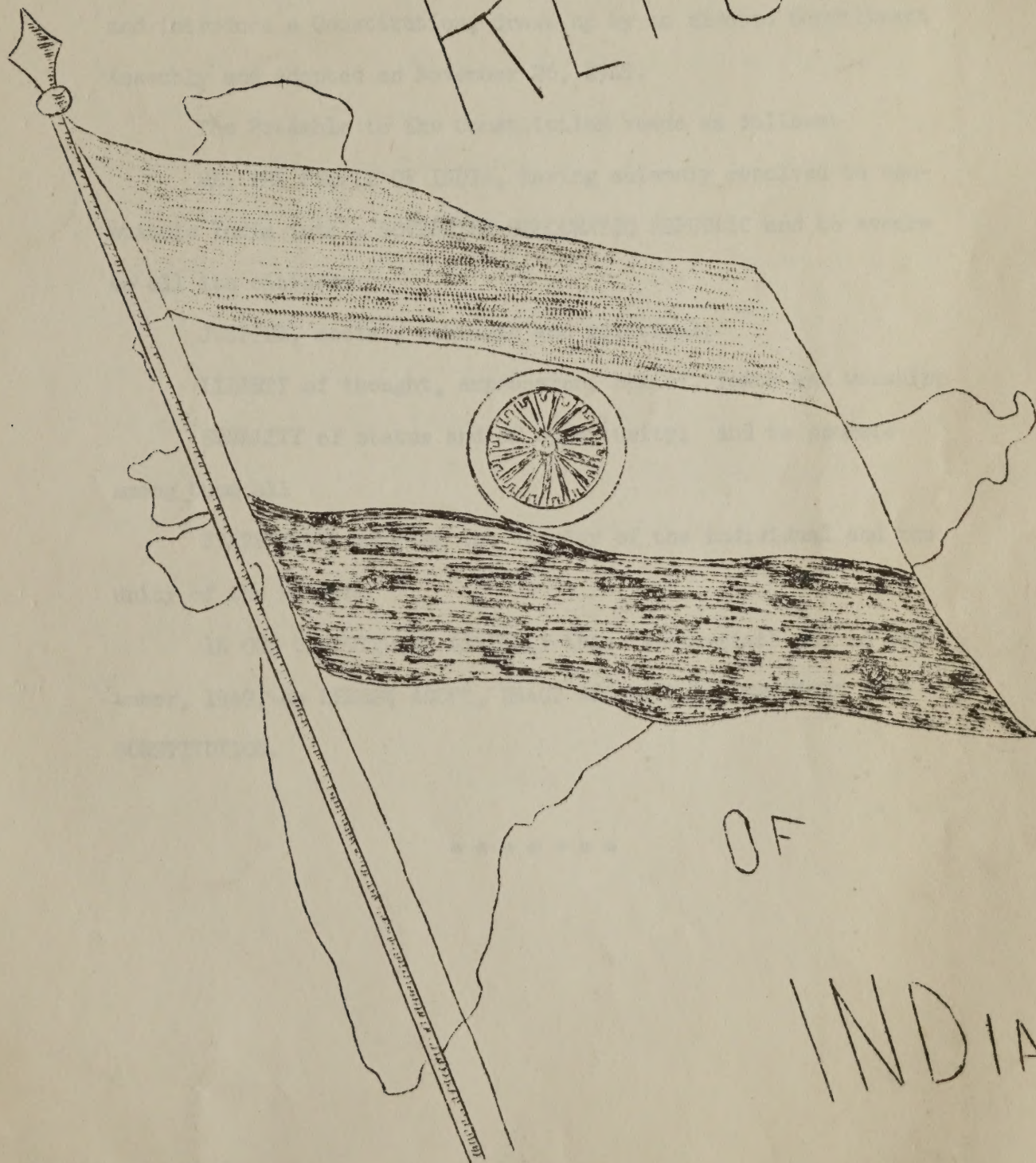
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REPUBLIC



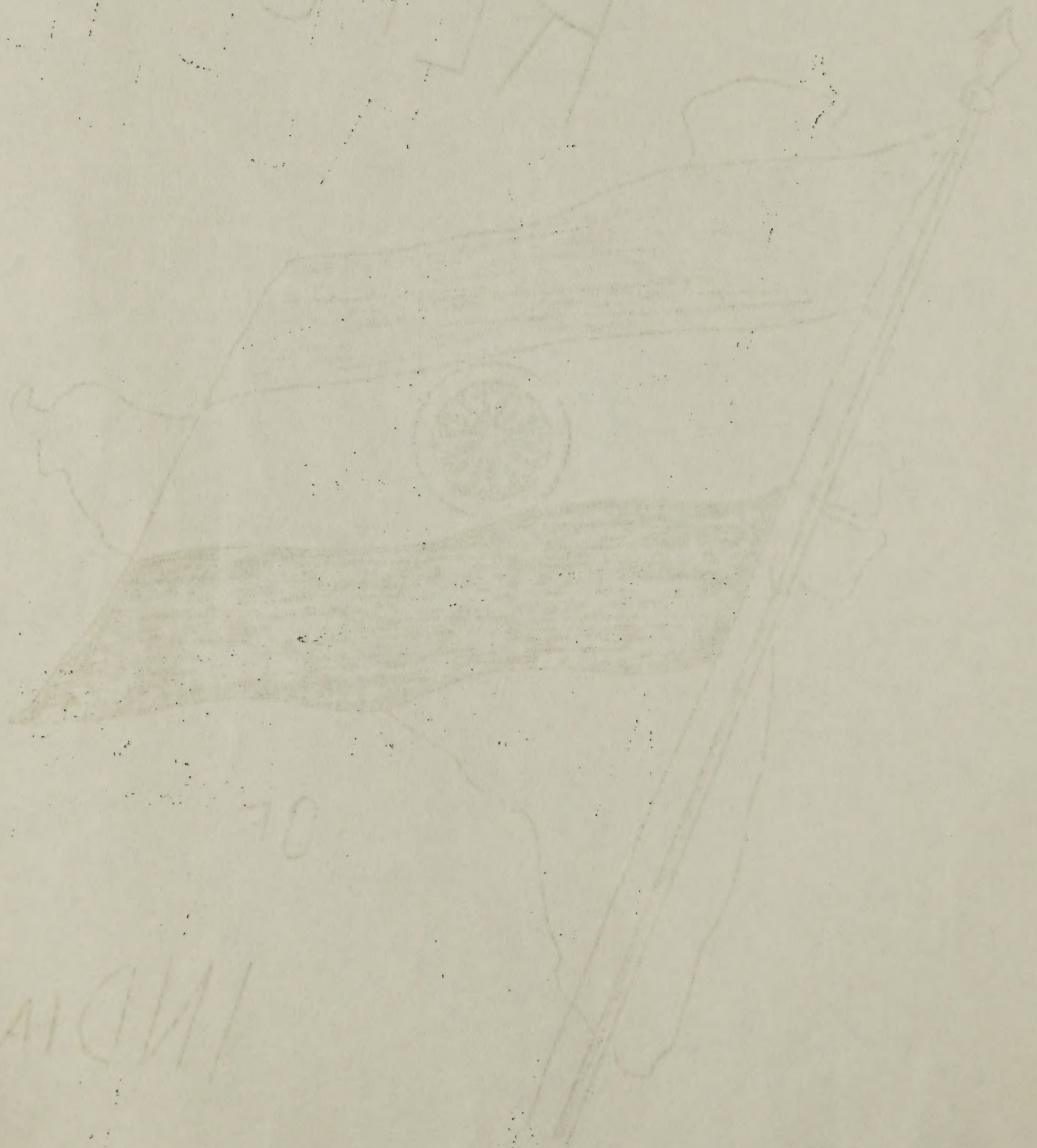
OF

INDIA

JANUARY 24, 1950



REPUBLIC



INDIA

PREAMBLE TO THE CONSTITUTION

On January 26, 1950, India will declare herself a Republic and introduce a Constitution, drawn up by an elected Constituent Assembly and adopted on November 26, 1949.

The Preamble to the Constitution reads as follows:

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN DEMOCRATIC REPUBLIC and to secure to all its citizens:

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity; and to promote among them all

FRATERNITY assuring the dignity of the individual and the unity of the Nation;

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949, do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.

\* \* \* \* \*



## PROCLAMATION OF THE REPUBLIC OF INDIA

"Whereas the people of India having solemnly resolved to constitute India into a sovereign democratic republic adopted, enacted and gave to themselves on the 26th day of November, 1949, in their Constituent Assembly the Constitution of India, and whereas it has been declared by the said Constitution that India, that is Bharat, shall be a union of states comprising within the union the territories which were hitherto the Governors' provinces, the Indian states, and the Chief Commissioners' provinces, and whereas this the 26th day of January, 1950, has been fixed for the commencement of the said Constitution, now, therefore, it is hereby proclaimed that on and from this the 26th day of January, 1950, India, that is Bharat, shall be a sovereign democratic republic, and the union and its component units the states shall exercise all power and functions of Government and administration in accordance with the provisions of the said Constitution."

\* \* \* \* \*

## SIGNIFICANCE OF JANUARY 26

January 26 has a great significance in India's history, for on this day in 1930, in response to the Congress' directive, meetings were held throughout the country demanding complete independence from the British.

Matters were brought to this point by repeated British refusals even to accept the Congress' modest request for Dominion status within the British Commonwealth. At the forty-third session of the Congress at Calcutta in 1928, the same demand was repeated, and December 31, 1929, was fixed as the last date for the receipt of an affirmative reply from the Government; failing which a Civil Disobedience movement was to be launched. No reply came. On December 23, 1929, Mahatma Gandhi and other Congress leaders met the then Viceroy, Lord Irwin, and asked an assurance from him that the forthcoming round-table conference in London between Indian and British representatives would proceed on the basis of Dominion status for India. The Viceroy declined to give any assurance to this effect. The Congress leaders then felt that the time of waiting was over.

On January 1, 1930, the Congress President, Pandit Nehru, unfurled the flag of Independence. The following day, the Congress Working Committee decided upon January 26 as Purna Swaraj (Complete Independence) day. Meetings were to be held in support of the demand for independence. An extract from the resolution which was read at these meetings follows:

"We believe that it is the inalienable right of the Indian people, as of any other people, to have freedom and to enjoy the fruits of their toil and have necessities of life, so that they may have full opportunities of growth. We believe also that if any Government deprives a people of these rights and oppresses them, the people have a further right to alter it or to abolish it."

The pledge was renewed year after year and partly redeemed on August 15, 1947, when the flag of free India waved over the nation's capital, and the Prime Minister, Pandit Nehru, said to a hushed Parliament: "Long years ago we made a tryst with destiny, and now the time comes when we shall redeem our pledges, not wholly or in full measure, but very substantially. At the stroke of the midnight hour, when the world sleeps, India will awake to life and freedom."

The Indian Constituent Assembly first met on December 9, 1946. It passed the new Constitution on November 26, 1949, and decided to give effect to it on Independence Day, January 26, 1950.

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## FROM DOMINION TO SOVEREIGN REPUBLIC

Though India attained her independence on August 15, 1947, she continued as a member of the Commonwealth of Nations owing allegiance to the King.

On January 26, 1950, India declared herself a Sovereign Democratic Republic, thereby breaking all ties with the British Crown.

Under the new Constitution there is a President elected by the States Legislature and the Houses of Parliament. The President is the constitutional as well as the executive head of the Government. He will hold office for five years and is eligible for re-election. He has the power of summoning and proroguing Parliament, can dissolve the House of People and during recess of Parliament can promulgate ordinances. He appoints the Attorney General for India as well as the Governors of the States. He can be impeached for violation of the Constitution.

The Indian Parliament, elected by adult franchise, will in turn choose the Prime Minister, who will advise the President on all administrative matters. The Indian constitution in this respect is the same as Britain's. The Prime Minister and Cabinet can be ousted from office by an adverse vote.

The British Privy Council ceases to be the final Court of Appeal. Its powers are now vested in the Supreme Court which has original, appellate and advisory jurisdiction.

The former provinces, the new groupings of former princely states, and all other divisions will in future be called States.

India, despite her complete independence, will continue to remain a member of the Commonwealth of Nations. This arrangement is designed to help the common interests of India and the other Commonwealth nations which have forged many common ties, especially in the economic field. The British Dominions at the Conference in London agreed to accept India as a member nation, even after she became a sovereign independent Republic.

Representatives of the eight members of the British Commonwealth agreed upon a new definition. It was: "Acceptance of the King as a symbol of the free association of its independent member nations and, as such, the head of the Commonwealth."

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## HIGHLIGHTS OF THE CONSTITUTION

On January 26 the most populous and the newest democratic republic--the Republic of India--will be born and acclaimed by the 342 million Indians and the nations of the world.

Though the 300 men and women representatives of the millions will go down in history as the founding fathers of the constitution, they have but given concrete expression to the hopes and aspirations of the many, mostly unknown, who took part in the civil disobedience movements, attended political rallies, lost their homes and living, stood up to the rigors of long imprisonment and proudly gave up their lives, so that India could attain independence and take her place in the family of nations.

The framers of the Constitution have drawn upon the accumulated wisdom of political thinkers and theorists of different countries; they have made liberal use of the great experiments in constitution-making the world over, and have evolved a harmonious combination of foreign and indigenous concepts, capable of answering to Indian conditions and traditions. In this task they were guided by the Gandhian ideal, best illustrated by his saying: "I want the cultures of all the lands to be blown about my house as freely as possible. But I refuse to be blown off my feet by any."

The keynote of the new constitution is the secular character of the state, of which Mahatma Gandhi was the supreme exponent. "India belongs," he said, "to all those who are born and bred here...Free India will be no Hindu Raj, it will be Indian Raj based not on the majority of any religious sect or community but on the representatives of the whole people without distinction of religion. I can conceive of a mixed majority putting the Hindus in a minority."

In pursuance of this ideal the Constitution has abolished separate religious electorates and provided for joint electorates based on adult franchise. Women will enjoy the same rights as men and may hold any public office.

It guarantees to all citizens irrespective of "religion, race, caste, sex or place of birth," the fundamental rights of men. These include rights of equality, freedom of conscience and free profession, practice and propagation of religion, cultural and educational rights, right to property and the right to constitutional remedies. Of this last it is important to note that no legislature can amend or take away these rights unless the Constitution itself is amended.

The Indian Constitution has gone one step further and provides for certain directive principles of state policy. The constitution lays down that it shall be the duty of the state to apply them in making laws. This is to ensure economic democracy along with political democracy. The State shall so direct its policy that all citizens, men and women equally, have the right to an adequate means of livelihood, fair distribution of wealth, the right to work, to education and to public assistance in cases of unemployment, old age, sickness, or other disability, a higher level of nutrition and standard of living and improvement of public health.

In the India of Mahatma Gandhi's dream, "there can be no room for the curse of untouchability" and so untouchability is abolished and its practice in any form forbidden, and made an offence punishable in accordance with law.



Probably the most distinguishing feature of the Constitution is adequate provision made for the protection of the legitimate rights, interests and privileges of the minorities.

Said Gandhi; "Independence must begin at the bottom. Thus every village will be a republic or panchayat having full powers." Appropriately the Constitution lays down that "the state shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government."

In accordance with the principle that the solution of the world problems lies not in the sword, but in mutual goodwill and co-operation, the Constitution solemnly affirms: "The State shall endeavor to promote international peace and security, maintain just and honorable relations between nations, foster respect for international law and treaty obligations in the dealings of organized people with one another and encourage settlement of international disputes by arbitration."

The 395-article Constitution represents not only the 30 months' concentrated effort of the members of the Constituent Assembly, but the 342 million people they represent. Above all it embodies the teachings of Mahatma Gandhi, whose voice was not heard in the Assembly but whose spirit was ever present and who guided its deliberations, gave concrete shape to some of the fundamental principles and steered it towards its goal.

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PRIME MINISTER'S MESSAGE

"On this day when India becomes a sovereign democratic republic I send my warmest greetings to all our countrymen abroad. In the long and eventful annals of our country, this day will have a special place. The pledge taken long ago is fulfilled and every Indian wherever he may be has a new status as a citizen of the republic. This brings new rights and responsibilities. To the people of all other countries we offer our friendship on terms of equality and respect for each others' rights. In our own country we face the future with faith and confidence. Every citizen of the Republic of India must remember he has the dignity and prestige of his motherland in his keeping, and he must be true to that trust."



### THE AMBASSADOR'S MESSAGE

Today India begins a new chapter of history--this day marks for us the end of a struggle and the realization of an ideal. India takes her place among free nations as a Sovereign Independent Republic and conveys to the world a message of goodwill, and to her own children new vision, new hope and a new life. But in this hour of happiness let us remember that today is also a day of heart-searching and rededication.

Twenty years ago we took a pledge to work unceasingly for a free and independent India. That occasion lingers in my memory as if it were yesterday and the thrill of that sacred moment is in my heart. So much has happened since then--we have risen to great heights and fallen to depths we had not known were possible; tragedy has worked hand in hand with triumph. But the pledge we took is only partly redeemed, for political freedom is only the first step in the work before us; the whole long road stretches ahead and to be true to our great inheritance and to the leadership of the Father of our Nation, we must walk on until we reach the end of the road. In other words, the struggle continues, only the emphasis is changed, and our enemy now takes the form of hunger, poverty and disease which undermine the nation and strike at the roots of our new found freedom. Our fight today is more difficult than the one through which we achieved political emancipation, but our weapons are the same. The motto of the new Republic is Satyameva Jayate-- सत्यमेव जयते --truth alone conquers, and on truth India takes her stand. But what about your stand and mine, people of India, do we realize, I wonder, that the world is charged with other varieties of explosive material not less deadly in their bearing on human peace and progress than the atom bomb; and if we do, then only one course remains; to pledge ourselves to work for the removal of the causes that make this situation possible, to eradicate that hatred and bitterness which create barriers between man and man.

It is natural that on this day pictures of the more glorious chapters of our past should crowd in upon us and it is right that we should take our inspiration from them. But we must also realize that we can no longer live in the past, our attitudes and values have to be integrated in the context of the world around us and we must speak and act in a manner that can be understood by peoples with different cultural backgrounds and traditions. India has endured through the ages and India will endure. Let us hope in all humility that the concepts of India's ancient ideals may be always with us and that our ancient land which emerges as the youngest Republic may maintain its rightful and honored place in the world and make its full and willing contribution to the promotion of world peace and the welfare of mankind.

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### THE FIRST PRESIDENT

On January 24, 1950, Dr. Rajendra Prasad, the President of the Constituent Assembly, was elected unopposed as the first President of the Republic of India.

Born in December 1884, in the district of Saran, Bihar, Dr. Prasad was educated at the Presidency College, and Law College, Calcutta. He practised law at Calcutta and Patna High Courts during 1911-20, giving it up to join the non-cooperation movement launched by Mahatma Gandhi in 1920. Earlier, in 1917, he had taken part in the Champaran Agrarian Satyagraha (Civil Disobedience).

In 1922 he became the General Secretary of the Indian National Congress, and in 1934 and 1939 he served as the President of the Bombay and Calcutta sessions respectively. Dr. Rajendra Prasad has served several terms of imprisonment, the last being in August, 1942, for three years.

In 1946 he was appointed Food Minister in the Interim Government and in December '46 was elected President of the Constituent Assembly. On his election as Congress President in 1947, he resigned from his post in the Cabinet.

A humanitarian, Dr. Prasad has taken a leading part in a number of philanthropic activities. He is at present the Chairman of the Gandhi National Memorial Fund.

He was one of the founders of the Patna English Daily, the Searchlight, and the Hindi weekly 'Desh'. He is also an author, and has a number of books to his credit, among them being Mahatma Gandhi in Bihar, Economics of Khadi, Pakistan India Divided, and an autobiography.

One of the foremost disciples of Mahatma Gandhi, Dr. Rajendra Prasad has always been in the vanguard of India's fight for freedom.



### THE PRESIDENT'S FLAG

A new flag will go up on Government House, New Delhi, January 26 to the salute of 31 guns announcing assumption of office by the President of the Indian Republic.

Divided into four rectangles of blue and red (the diagonally opposite ones being of the same color) the flag will show the State crest, an elephant, a pair of scales and a lotus bowl. These figures will be drawn in gold, one each in the blue and red rectangles.

The State crest showing the Asoka capital with the three lions as well as the motif of the lotus bowl are taken from Saranath (1st century B.C.); the elephant is from the Ajanta frescoes (5th century A.D.); and the pair of scales symbolism is from the Red Fort, Delhi (17th century A.D.). The motif of the Asoka capital represents unity, equality and fraternity; that of the Ajanta elephant, patience and strength; the pair of scales, justice and economy; and the lotus bowl, prosperity and plenty.

Provincial Governors and Rajpramukhs will similarly have their own flags which will be unfurled on January 26. These will show on a plain saffron background the State crest and the name of the State in Devanagari script.

